

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER HOMONEY,	:	CIVIL ACTION
Petitioner,	:	
v.	:	
	:	
	:	No. 13-5801
COMMONWEALTH OF PENNSYLVANIA,	:	
Respondent.	:	

ORDER

AND NOW, this 15th day of December 2014, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. §2254 (Doc. No. 1) and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. No. 24) and petitioner's response thereto (Doc. No. 25), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;¹
2. The petition for a writ of habeas corpus is **DENIED**;
3. There is no probable cause to issue a certificate of appealability.

The Clerk of the Court is directed to mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/Lawrence F. Stengel_____
LAWRENCE F. STENGEL, J.

¹ The petitioner filed several objections to the Report and Recommendation. These objections simply rehash the basis for petitioner's habeas claims without explaining what about the magistrate judge's recommendation is legally erroneous or objectionable. The Report and Recommendation fairly, accurately, and thoroughly analyzes the petitioner's request for relief. As Judge Rueter has explained, the Antiterrorism and Effective Death Penalty Act (AEDPA) prevents this court from doing a merits review of the petitioner's exhausted claims. The petitioner's remaining claims were procedurally defaulted and not excused. The procedural default bars review of these claims.